

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

In re:	:	Case No.: 08-35653 (KRH)
CIRCUIT CITY STORES, INC.,	:	Chapter 11
et al.,	:	
Debtors.	:	Jointly Administered

**DECLARATION OF PLAINTIFF ROY EISNER**

Roy Eisner declares the following is true and correct under penalties of perjury pursuant to 28 U.S.C. § 1746:

1. I am the claimant in regard to this claim for bodily injury that I suffered in an assault that occurred on 9/4/08 due to Circuit City's negligence.
2. That on September 4, 2008 solely based on the referral of my chiropractic physician, Dr. Roger Caine I saw Dr. Norman Stempler a board certified Orthopedic Physician for the purpose of medical evaluation and consultation.
3. I returned to Dr. Stempler on 12/2/14 for an updated evaluation and consultation as part of my medical care for my ongoing treatment for the injuries I suffered due to Circuit City's negligence. I was also advised by my attorney that the updated evaluation would also assist Dr. Stempler with regard to his future testimony if my claim against Circuit City goes to trial.
4. During my deposition on 1/13/15 in response to the following yes or no question asked by the defense lawyer regarding Dr. Stempler "He has been retained to provide an opinion in your case, right?"; I answered, "yes". This is because my attorney informed me that Dr. Stempler would be testifying by deposition at my trial, and that Dr. Stempler would be paid by my attorney for his time in preparing for and testifying in my case.
5. The defense lawyer at my deposition did not ask me whether Dr. Stempler was one of my treating doctors who I saw for my injuries from the assault caused by Circuit City's negligence. If he had asked me that question I would have answered yes, that Dr. Stempler was one of my treating doctors.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: \_\_\_\_\_

4/14/15

Roy Eisner



**CERTIFICATE OF SERVICE**

I certify under penalty of perjury that on April 20, 2015 I served a copy of the foregoing

Declaration on the following via email and first-class mail:

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/s/ Kevin J. Funk

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